

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHERYL ANN CARLSON,

Plaintiff,

v.

ANDREW M. SAUL, *Acting*
Commissioner of Social Security,

Defendants,

SOCIAL SECURITY
ADMINISTRATION OFFICE
OF GENERAL COUNSEL,

Interested Party

Case No. 3:19-cv-00384-MMD-CLB

ORDER

Plaintiff Cheryl Ann Carlson, proceeding *pro se*, seeks judicial review of the Commissioner of Social Security's ("Defendant") decision to deny her claim for disability benefits under the Social Security Act. (ECF No. 8.) Before the Court is Defendant's motion to stay the case. (ECF No. 12.) Defendant essentially seeks an indefinite stay by asking that the Court "stay proceedings in this case until such time as the Social Security Administration (SSA) regains the capacity to produce the certified administrative record (CAR) necessary to answer and adjudicate this case." (*Id.* at 2.) Defendant represents that at this time, the agency does not have a solution for producing the CAR given the challenges presented by the coronavirus disease pandemic. (*Id.* at 2.) While the Court understands these challenges, the Court has to consider the fairness to Plaintiff of having to wait indefinitely for the case to even progress, let alone for a disposition on the merits.

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1 Accordingly, Defendant's motion to stay (ECF No. 12) is granted in part. The Court
2 will stay this case until August 3, 2020, or until Defendant files proof of service showing
3 that the CAR has been served on Plaintiff or files the CAR, whichever occurs earlier.

4 DATED THIS 23rd day of April 2020.

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8 MIRANDA M. DU
9 CHIEF UNITED STATES DISTRICT JUDGE
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